

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIARCROFT, LTD.,

No. C 09-03445 SI

Plaintiff,

**ORDER DENYING WITHOUT
PREJUDICE DEFENDANTS' MOTION
TO DISMISS FOR LACK OF DIVERSITY
JURISDICTION**

v.

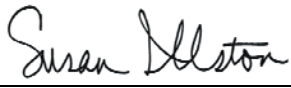
ROBERT W. O'NEEL III, aka ROBERT W.
O'NEEL, aka ROB O'NEEL, TATIANA
ABRACOS, aka TATIANA O'NEEL

Defendants.

On February 5, 2010, the Court heard oral argument on defendants' motion to dismiss for lack of diversity jurisdiction. Having considered the arguments of counsel and papers submitted, the Court DENIES defendants' motion without prejudice to renewal in 60 days on a fuller factual record. The parties shall proceed with discovery, including jurisdictional discovery.

IT IS SO ORDERED.

Dated: February 6, 2010



SUSAN ILLSTON
United States District Judge